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July 10, 2020

Honorable Analisa Torres By ECF
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Magglean Mosby v. City of New York, et al.
20 Civ. 1485 (AT)

Your Honor:

I am an Assistant Corporation Counsel in the Office of James E. Johnson, Corporation Counsel of City of New York, and represent defendants, The City of New York, Luigi Tirro, and Joseph Aliberti in the above-referenced matter. I am writing to respectfully request an additional 60-day enlargement of time from July 14, 2020 to September 11, 2020 to answer or otherwise respond to the Complaint and to adjourn the initial conference currently scheduled for August 19, 2020 to after the City has responded to the complaint. Plaintiff's counsel consents to both requests. This is the City's second request for an enlargement of time to respond to plaintiff's complaint. This case is a Local Civil Rule 83.10 Plan case, and therefore all subsequent events and deadlines will depend on the date the first answer is filed.

By way of background, plaintiff alleges that on October 4, 2018, officers used excessive force and falsely arrested plaintiff, and officers failed to intervene. Plaintiff further alleges that plaintiff was arraigned in New York County Criminal Court, charged with several criminal offenses, and she thereafter resolved her case with an Adjournment in Contemplation of Dismissal. Plaintiff also alleges a denial of a right to a fair trial claim and further alleges a Monell claim against the City.

The undersigned received the necessary release from plaintiff's counsel to obtain records which had been sealed pursuant to New York Criminal Procedure Law § 160.50 in February and the necessary NYPD, DA's office, and criminal court records were requested. As Your Honor is aware, the COVID-19 pandemic began shortly thereafter. At this time, the City still has not obtained all documents for the underlying case from the NYPD. In light of the return of limited staffing to the NYPD unit that handles such requests, the undersigned is cautiously hopeful that

requests for documents from the NYPD will begin to be processed in the near future. As Your Honor is aware, since this is a Plan case, limited discovery will also need to be exchanged among the parties once the first defendant answers. This enlargement of time to answer will hence also allow defendant to gather necessary documents to meet its discovery obligations under the Plan.

In light of the above, it is respectfully requested that the City, Luigi Tirro, and Joseph Aliberti's time to answer or otherwise respond to the complaint be extended to September 11, 2020. It is also respectfully requested that the initial conference currently scheduled for August 19, 2020 be adjourned accordingly.

Respectfully submitted,


Soo-Young Shin /s/
Soo-Young Shin
Assistant Corporation Counsel

cc: Cyrus Joubin By ECF
Attorney for Plaintiff

GRANTED. By **September 11, 2020**, Defendants shall answer or otherwise respond to the complaint. It is further ORDERED that the initial pretrial conference scheduled for August 19, 2020 is ADJOURNED to **October 5, 2020**, at **10:40 a.m.** By **September 28, 2020**, the parties shall submit their joint letter and proposed case management plan.

SO ORDERED.

Dated: July 10, 2020
New York, New York



ANALISA TORRES
United States District Judge